

## **OVERSEAS STUDENT DEFERMENT, SUSPENSION AND CANCELLATION POLICY**

### **Draft policy**

APGS manages the enrolment of overseas students appropriately and provides all necessary information about enrolments to the relevant government department by maintaining information in the Provider Registration and International Student Management System (PRISMS) database.

### **Definitions**

1. Deferral – to delay the overseas student’s commencement date for a course, initiated by the student through a request to APGS prior to commencement of study on the grounds of compassionate or compelling circumstances.
2. Suspension – temporary suspension of study of an overseas student and putting their enrolment on hold for a defined period after the enrolment has commenced, initiated by the overseas student (on compassionate or compelling circumstances) or by APGS (due to disciplinary reasons, misbehaviour of the overseas student or a breach of course progress or attendance requirements).
3. Cancellation – the termination the overseas student’s enrolment in a course, may be initiated by the student or the School.

### **Procedure**

#### **Student initiated – deferment, suspension or cancellation**

1. An overseas student can request to defer the commencement of their study, suspend their study or cancel their enrolment.
2. To initiate any of these options the overseas student submit in writing a letter with supporting documentation including agreement from their parent/legal guardian if the student is under 18, to the Head of School.
3. The Head of School may request additional documentation to assess a request.
4. APGS may agree to the request of the overseas student if it believes there are compassionate or compelling circumstances.
5. Compelling and compassionate circumstances may include, but are not limited to:
  - serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
  - bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
  - major political upheaval or natural disaster in the student’s home country requiring emergency travel and this has impacted on the overseas student’s studies; or
  - a traumatic experience, which could include:
    - involvement in, or witnessing of a serious accident; or
    - witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists’ reports)

- if APGS was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.
6. A decision about an overseas student-initiated deferment, suspension of study or cancellation of enrolment will be made by the Head of School by reviewing the documentation provided.
  7. If an overseas student-initiated deferral, suspension or cancellation of enrolment is approved, the PEO will advise the student and their parent/legal guardian in writing. This will include advising the overseas student of the need to seek advice from Immigration on the potential impact on the overseas student's visa.
  8. If an overseas student-initiated deferral, suspension or cancellation of enrolment is not approved, the PEO will advise the student and their parent/legal guardian in writing. This will include the right to appeal through School's internal *Complaints and appeals policy*, in accordance with National Code Standard 10, within 20 working days.
  9. If an appeal is lodged, the *Complaints and appeals policy* will be implemented.
  10. If a student-initiated deferral, suspension or cancellation of enrolment is approved, the PEO will report the change in PRISMS.

#### **Reasons for APGS initiated suspension of study or cancellation of enrolment**

1. The reasons APGS may suspend or cancel an overseas student's study may include, but are not limited to:
  - misbehaviour by an overseas student
  - an overseas student's failure to pay an amount due as stated in the written agreement
  - a breach of course progress or attendance requirements
  - significant concern for the health, safety and/or wellbeing of the overseas student
  - identify other reasons.

#### **Assessment of APGS initiated suspension or cancellation of enrolment**

1. If APGS is considering a suspension or cancellation of enrolment for an overseas student, a procedurally fair process will be implemented.
2. The Head of School may direct the overseas student not to attend school while the process takes place.
3. The process will include the overseas student and the parent/legal guardian being provided all relevant information, including the reasons for the potential of suspension or cancellation. The Head of School will provide the overseas student and parent/legal guardian an opportunity to respond.
4. The Head of School will consider all information and make a recommendation to the PEO about whether the enrolment of the overseas student should be suspended or cancelled.
5. The PEO will make the decision. The PEO will communicate the decision to the overseas student and their parent/legal guardian in writing.
6. If the PEO decides to suspend study or cancel the enrolment of an overseas student the following will occur:

- the overseas student and parent/legal guardian will be informed of the decision and the reasons for the decision in writing
  - the overseas student and the parent/legal guardian will be given information about the right to appeal through the *Complaints and appeals policy* within 20 working days.
7. If an appeal is not lodged within 20 working days, the PEO will finalise the matter and advise the overseas student and parent/legal guardian of the finalisation in writing.
  8. If an appeal is lodged the *Complaints and appeals policy* will be implemented.

#### **Notifications in PRISMS of APGS initiated suspension or cancellation of enrolment**

1. The suspension or cancellation of an overseas student's enrolment under National Code Standard 9.3 cannot take effect until the School's internal complaints/appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk.
2. The outcome of an appeal will be communicated to the overseas student in writing by the Head of School. This correspondence will inform the overseas student and parent/legal guardian of the need to seek advice from Immigration on the potential impact on the overseas student's visa.
3. If a suspension or cancellation is initiated by APGS, and the appeals process has been completed and the decision is in the favour of APGS or no appeals process has been sought, the PEO will report in PRISMS.

#### **Refund due to student default**

1. The PEO will consult the *Refund for Overseas Student Policy and Procedure* in the case of a suspension or cancellation of an overseas student's enrolment.

#### **Records**

1. The Admissions Officer will maintain all records of applications, processes, and correspondence related to a deferment, suspension of study or cancellation of enrolment in the overseas student's files.